

SPECIAL BUSINESS AND TRANSFORMATION SCRUTINY PANEL

FRIDAY 22 FEBRUARY 2019 AT 10.00AM

PRESENT: Councillor Birks (Chairman), Councillor Alcroft, Allison, Mrs Bowman, Ellis, Ellis-Williams (as substitute for Councillor McNulty), Mrs Mallinson, and McDonald.

OFFICERS: Corporate Director of Finance and Resources
Policy and Communications Manager

BTSP.20/19 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor McNulty and the Town Clerk and Chief Executive.

BTSP.21/19 DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

BTSP.22/19 PUBLIC AND PRESS

RESOLVED – It was agreed that the items of business in Part A be dealt with in public and Part B be dealt with in private.

BTSP.23/19 TASK AND FINISH GROUP REPORT – AN EFFICIENCY AND EFFICACY REVIEW OF THE CURRENT GOVERNANCE STRUCTURES OF THE COUNCIL

The Policy and Communications Manager submitted OS.06/19 – Business and Transformation Scrutiny Panel Task and Finish Group Report: An efficiency and efficacy review of the current governance structures of the Council. The two principal drivers which had precipitated the review were: the Local Government's Boundary Commission for England's Review of electoral wards in the district and its recommendation that the number of Elected Members at the authority be reduced from 52 to 39 and; recent national government's guidance on local authority scrutiny function.

The Economic Growth Scrutiny Panel had considered the draft report at its meeting on 17 January 2019 (EGSP.08/19 refers) and resolved:

"1) That report OS.01/19 – Business and Transformation Scrutiny Panel Task and Finish Group Report: An efficiency and efficacy review of the current governance structures of the Council be received.

2) That the Panel supported the resolution of the Business and Transformation Scrutiny Panel on 3 January *"That the Task and Finish Group continue to gather further evidence to be submitted to the Business and Transformation Panel at its special meeting along with feedback from consultation with the Groups and other Scrutiny Panels"*, (Minute excerpt BTSP.09/19 (2) refers)."

The Health and Wellbeing Scrutiny Panel had considered the draft report at its Special meeting on 7 February 2019 (HWSP.11/19 refers) and a Member moved that a 2 Panel system be adopted with an increased number of seats on each. It was a matter for the Business and Transformation Scrutiny Panel to decide how to progress the issue. The proposal was seconded and put to the vote. The vote was carried.

The Policy and Communications Manager informed the Panel that the discussion at the Economic Growth Scrutiny Panel had prompted a paper to the Scrutiny Chairs Group on 24 January 2019. The paper looked at how the national review could inform the measurement of 'effectiveness' and was attached to the report as appendix B.

Consultation had also taken place with the Chairs of two Panels and the views put forward were set out in the report along with suggested two panel scrutiny arrangements, working titles and summary work themes.

The Task and Finish Group had made three recommendations to the Business and Transformation Scrutiny Panel:

1. The Task & Finish Group consider a move to 2 panels as preferable, but would like more evidence on the likely efficiencies and improvements, in particular the need for mandatory training in Overview & Scrutiny skills
2. The panels are made up of between 8 and 10 members
3. The panels meet every 6 weeks

The Policy and Communications Manager drew the Panel's attention to the amendments which had been made to the Task and Finish Group report following consultation, the key amendment being proposed two panel scrutiny arrangements, working titles and summary work themes as detailed in section E. He also clarified that the Executive met on a four week cycle not six as stated on page 7 of the report.

In addition an analysis of Overview and Scrutiny agenda items for the previous three years had been included at section F and showed that a three panel structure averaged three items per agenda for each panel, this would result in an average five item agenda for a two panel structure. Some of the items included in the analysis were items which were scrutinised by more than one panel. In response to a question the Policy and Communications Manager confirmed that an increase in agenda items would be likely to increase the length of meetings. He felt some consideration should be given to the time given to actually scrutinising agenda items and suggested that agenda items include timings or that a set time be prescribed for presentations at scrutiny meetings.

In considering the Task and Finish Group report Members raised the following comments and questions:

- It was suggested that, when setting Panel agendas, the Chairman consider adding an item to each agenda that could involve in depth work with the outcome reported to the Panel and then to the Executive.
- Members thought that adding times to agenda items may stifle scrutiny work and result in items not being scrutinised fully but agreed set times for presentations would be beneficial.
- The Panel felt that the timing and directions of meetings were the responsibility of the Chairman and as a result the Task and Finish Group had recommended mandatory training for overview and scrutiny skills.

A Member agreed that more training was required but did not think mandatory training was appropriate for scrutiny. In addition, a Member requested more training on some of the issues that the panels were asked to scrutinise.

The Corporate Director of Governance and Regulatory Services clarified that mandatory training was only appropriate for regulatory committees, however, there could be an agreement that only members who had received appropriate training were proposed to be chairmen.

The Policy and Communications Manager informed the Panel that there had been some discussion with Organisational Development regarding overview and scrutiny skills training and it would be included in the Ethical Governance Programme. The skills training would give Members the opportunity to practice question and answer skills in a mock Panel meeting.

A Member suggested that the attendance at training may be improved by evening sessions. The Corporate Director of Governance responded that evening sessions were offered, and although there was a slight improvement in numbers, the attendance was still low.

A Member commented that it was important that training for Members was looked at as a priority following the Election in May and added that it was up to each Group to ensure Members were attending the appropriate training.

The Corporate Director of Governance and Regulatory Services felt that the Panel were frustrated with the way that scrutiny operated and were trying to address this through changing the structure. One of the issues identified had been the training of the Chairman, he reminded the Panel that the Chairman received a Special Responsibility Allowance for leading and directing the Panel and for the preparation of the Chairman's report to Council. The report should detail the work of the Panel, future items and the direction of the Panel along with the work outside of the meeting which the Chairman was undertaking.

- A Member commented that he felt that the report contained sufficient evidence to support a move to two panels but felt that the matter should wait until after the election in May.

The Chairman drew the Panel's attention to the Task and Finish Group's recommendation and asked the Panel if they wanted to take the report to Council in April.

The Vice Chairman highlighted the time and work that the Task and Finish Group and officers had spent producing the report and felt that there was enough evidence to support a move to two Panels to begin in the new Municipal Year.

A Member supported the recommendations of the Task and Finish Group but did not feel there was a need for more evidence, however, she felt that the recommendation should include the requirement for overview and scrutiny skills training as soon as possible.

A Member was concerned that there was not enough evidence in the report to support a change at this stage. She felt that the report did not address the efficacy or efficiency of the Panels or the efficiency of the Chairs in being able to manage and direct the meetings properly. She believed that changing the structure of scrutiny would not address the issues.

The Corporate Director of Governance identify some issues which could be resolved out with of the Task and Finish Group work:

- change the start time of Panel meetings to 4.00pm;
- change the number of substitute Members on the panels so all of the non appointed Members were named substitutes;
- recommendation to the Group Leaders that only Members who have received appropriate training could be put forward as Chairmen

A Member noted that the Panel were still discussing the recommendations and were not clear on what would be taken to Council, she felt that the Corporate Director of Governance and Regulatory Services should move ahead with the proposed changes and the decision regarding the number of Panels should wait until after the Election in May.

A Member recognised that the reduction in the number of Councillors in May would impact the work load of the new Council and some consideration had to be given to the reduction in Members and the number of committees that the Members would have to sit.

The Corporate Director clarified that a decision could be taken part way through the year should the Panel wish to wait until after the Election in May. He also reminded the Panel that the Boundary Commission submission showed that the City Council were below the national average for committee seats, reducing the number of Panels would move the statistics further below the national average.

The Panel discussed how the proposed reduction to two Panels would increase the opportunity for Task and Finish Group work, however, it was felt that any increase to Task and Finish Group work should be addressed in the Task and Finish Group report.

The Policy and Communications Manager reminded the Panel that it was up to each Panel to set their Work Programme including Task and Finish Group work.

- The report stated between 8 and 10 Members for each Panel, what was the reason for this number?

The Policy and Communications Manager drew the Panel's attention to table 1 of the report which detailed the estimated percentage of members on scrutiny. By having 8 – 10 Members on scrutiny it would keep approximately 50% of Members engaged in scrutiny.

A Member questioned whether 3 Panels with six members on each would be an option.

Following discussion it was agreed that Panels with less Members would be an option and that in depth work could still take place with six members.

The Chairman asked the Panel to make a decision on whether the report should be recommended to Council in April or if more work should be undertaken and a report considered by the new Council following the election in May.

Following voting the decision was tied and the Chairman used her casting vote. She felt she had a difficult decision to make but did not feel that she could present the report to Council in April and so it was carried that the report would not be considered until the new municipal year.

The Panel discussed how the work would be progressed and what evidence was still needed to make a decision. The efficiency and efficacy of scrutiny had not been addressed in the report and more evidence on the number of items that were cross cutting and how often it happened should be included. In addition, information on the number of items that had been included on a agenda to bulk up them up or should have been Informal Council presentations should also be identified in the report. Further work on the number of Panels and the number of Members on those Panels should also be evidenced in the report.

The Panel noted the Task and Finish Group report and asked that the Chairman and Vice Chairman gather the outstanding evidence for submission to the first meeting of the Business and Transformation Scrutiny Panel in the new municipal year.

RESOLVED – 1) That the consultation responses from the Economic Growth Scrutiny Panel and the Health and Wellbeing Scrutiny Panel be noted;

2) That the Task and Finish Group report, with amendments, be noted;

3) That the Chairman and Vice Chairman of the Business and Transformation Scrutiny Panel undertake to gather further evidence on the efficiency and efficacy of scrutiny for consideration by the first Business and Transformation Scrutiny Panel in the new municipal year.

(The meeting ended at 11.38am)